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US Tax Court

December 12, 2023

Hon. Naomi Reice Buchwald, USDJ  
United States District Court,  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312  
Via ECF

Re: Meissner v. The City of New York  
2023- CV-01907(NRB)

Your Honor:

On Wednesday November 29, 2023, Your Honor asked that both parties write to the Court by December 13, 2023, specifically addressing how the October 24, 2023, *Srouer* (22 Civ. 3 (JPC)) decision by the Honorable John P. Cronan impacts on this current case. A new development happened on Friday, December 8, 2023 - the Second Circuit Court of Appeals issued a 261-page decision under dockets (22-2908 (L); 22-2933; 22-2987; 22-3237 *Antonyuk; Hardaway; Christian; Spencer v. Chiumento*) that may have impacted both the *Srouer* decision, as well as this case. Counsel for Plaintiff and Defendant ask that the letters due by Wednesday December 13, be adjourned and not due until January 10, 2024, Counsel for the Defendants additionally asks that his letter be due two days later on January 12, 2024; this adjournment will allow both parties to address the implications of these decisions.

Applications  
granted.

Respectfully submitted,

Robert M. Schechter, Esq.

cc: Nicholas Robert Ciappetta, Esq. Via ECF